

## AGENDA

## INDIANAPOLIS AIR POLLUTION CONTROL BOARD

Room 107 City-County Building

9:30 A.M. February 12, 2004

- 1) PUBLIC HEARING
- 2) CALL TO ORDER - REGULAR MEETING
- 3) ADOPTION OF AGENDA
- 4) ANNOUNCEMENTS
  - a) Introductions
- 5) APPROVAL OF MINUTES
  - a) January 8, 2004
- 6) STAFF REPORTS - December 2003
  - a) Activities
    - a) Air Monitoring
    - b) Permitting
    - c) Compliance
    - d) Enforcement
    - e) 2004 Workplan
    - f) School 21
    - g) Central Indiana Air Quality Advisory Group Update
- 7) UNFINISHED BUSINESS
- 8) NEW BUSINESS
- 9) ADJOURNMENT

**NEXT MEETINGS:**

## ORDINANCE REVIEW COMMITTEE

Room 118 City-County Building

8:30 A.M. March 11, 2004

## BOARD MEETING

Room 118 City-County Building

9:30 A.M. March 11, 2004

Web Site Address

[www.indygov.org/ermd](http://www.indygov.org/ermd)

For current Air Quality information, please call (317) 327-4AIR (4247).

For ozone information, please visit our website at [www.knozone.com](http://www.knozone.com).

**There will NOT be**

**an**

**Ordinance Review**

**Committee**

**Meeting**

**on**

**February 12, 2004**

**PRELIMINARY MINUTES - January 8, 2004**  
**INDIANAPOLIS AIR POLLUTION CONTROL BOARD**  
**CITY OF INDIANAPOLIS**

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The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on January 8, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

**THOSE PRESENT WERE:**

Robert Daly, Chairman  
Roland Salman, Member  
Tom Barnard, Member  
Chuck Fraley, Member  
Dennis Achgill, Member  
Bruce Wallace, Member  
John Chavez, Technical Secretary  
Matt Senseny, Board Counsel

**ABSENT:**

Bill Brown, Member  
Tom Rarick, Member

**GUESTS PRESENT:**

Beulah Coughenour  
Wade Kohlmann, Citizens Gas & Coke Utility  
Richard Van Frank, Improving Kids Environment  
Denise Curtis, National Starch and Chemical Company  
Pam Thevenow, Marion County Health Department  
Terry Hogan, Keramida Environmental, Inc.

**RE: CALL TO ORDER - PUBLIC HEARING**

Dr. Robert Daly called the reopening of the Public Hearing to order to adopt the Indianapolis Air Pollution Control Board (IAPCB) Regulation 10, Nitrogen Oxides. He asked if there was any testimony. There was none.

Mr. Tom Hipple summarized Regulation 10, Nitrogen Oxides (NOx). The purpose of this Regulation is to reduce NOx emissions. NOx emissions will be reduced between now and the year 2007. Staff are requesting the Board to adopt Regulation 10, Nitrogen Oxides. There are two (2) entities in Marion County that will be affected by the rule. Mr. Hipple has spoken with representatives from each of the entities (Ann McIver of Citizens Thermal and Dwayne Burke of Indianapolis Power and Light) and explained the circumstances. He said both individuals stated they did not have any concerns with the adoption of Regulation 10 and suggested that the Board proceed with final adoption.

Dr. Daly closed the Public Hearing and the final adoption will be addressed during regular business of the APCB

**RE: CALL TO ORDER - REGULAR MEETING**

Dr. Robert Daly called the meeting to order.

**RE: ADOPTION OF AGENDA**

Dr. Daly solicited modifications to the Agenda. There was one (1) addition presented by Dr. Daly.

1. Under item (4) Announcements (b), Presentation of APCB Resolution to Councillor Beulah Coughenour.

Mr. Chuck Fraley made a motion the Agenda be adopted as amended. Mr. Bruce Wallace seconded the motion and said motion carried.

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**RE: ANNOUNCEMENTS**

**(Presentation of Resolution to Councillor Beulah Coughenour)**

Dr. Daly presented a Resolution to Councillor Beulah Coughenour. Dr. Daly stated Councillor Coughenour has served seven (7) terms as a councilwoman. She was the chairperson for the Public Works Committee for twenty-six (26) years. She has been a champion of air issues from the beginning to the end. She has been a friend to the APCB and very helpful in legislative issues that has brought the City of Indianapolis into compliance with the original set of rules. Councillor Coughenour has also been a very active citizen and involved with national issues and she has brought all of this to the City's benefit.

Dr. Daly read the resolution and then presented it to Councillor Beulah Coughenour. Councillor Coughenour thanked the APCB for their service to the City of Indianapolis.

**(Director of Department of Public Works)**

Mr. John Chavez announced that on Friday, January 2, 2004 that Mayor Bart Peterson named James Garrard as the new Director of the Department of Public Works. Mr. Garrard has been with the City of Indianapolis since 2000. Most recently, he was the Administrator for the Animal Care and Control Division. Prior to that, he served as a Special Counsel for the Office of Corporation Counsel. He comes with an outstanding track record of progresses and successes.

**RE: APPROVAL OF MINUTES**

Dr. Daly solicited modifications to the Minutes for the December 11, 2003 meeting. There were none. Mr. Wallace made a motion that the Minutes be approved as presented. Mr. Dennis Achgill seconded the motion and said motion carried.

**RE: STAFF REPORTS - November 2003, Monthly Activities Report**

**(Air Monitoring Activities Report)**

Mr. Childs updated the Board on the Air Monitoring Activities for November 2003. He stated the Air Quality Index (AQI) bounced back and forth between the Good and Moderate categories throughout November. There were no unusual readings during the month.

The Board inquired if there was any issues with particulate matter. Mr. Childs stated at site 42, the McKenzie Career Center, the readings did drop below 14.9 through November and may attain the standard at that site. The higher readings are more in the center core of the City of Indianapolis. A presentation on PM<sub>2.5</sub> will be given at the March 11, 2004 APCB meeting.

**(Permit Activities Report)**

Mr. Keshav Reddy updated the Board on the Permit Activities Report for November 2003. There were two (2) applications received and six (6) decisions made. There are thirty-three (33) in draft stage, three (3) on public notice, two (2) proposed, and nine (9) in the final stage.

Staff is continuing to work on the backlog and making good progress. During the month of December, the Permitting Group put six (6) Title V draft permits on public notice. The Board asked how long it takes to issue a Title V Permit once it has been put on public notice. Mr. Reddy stated approximately four (4) four months. There is a forty-five (45) day U.S. Environmental Protection Agency (EPA) review period, source comment period, and an Indiana Department of Environmental Management (IDEM) review period.

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The Board asked why the table indicates that there was eight (8) decisions made and the Process Breakdown indicates there was only six (6) decisions made. Mr. Reddy stated that there is a slight software problem with this report. The contractor is currently working on this problem and should have it resolved by the next report. If it is not, Mr. Reddy will manually tally the numbers for the December 2003 Activities Report. The actual number of decisions made in November 2004 is six (6).

Mr. Chavez announced that on Tuesday, January 13, 2004 at 6:30 p.m. at the VFW Post #2999 located at 3553 English Avenue the City of Indianapolis would be holding an expanded Public Outreach Meeting for the Citizens Gas and Coke Utility (CG&CU) Title V permit. The purpose of the meeting is to provide a basic overview of the permitting process, the elements of the Title V permit for CG&CU, an overview of the operations at CG&CU and some other information. This will allow a variety of different citizens to put together some solid public comments that can be addressed during the public comment period. Invitation letters were sent out to approximately fifteen (15) neighborhood organizations and other stakeholder groups that have shown an interest in the permit.

Ms. Pam Thevenow of the Marion County Health Department inquired if the staff at School 21 is aware of this meeting. Mr. Chavez stated a notice was sent to the Indianapolis Public Schools. The Board asked that a notice be sent to the principal of School 21.

The Board asked if there is a website available to the public with the permit and its conditions on it. Mr. Reddy stated yes, it is available at the IDEM website and soon a link to this website will become available on the OES website. Mr. Matt Senseny stated that if you go to the Access Indiana website it could be found very easily.

The Board asked what are the Permit Group's expectations for 2004. Mr. Chavez stated staff are in the process of setting the 2004 goals and initiatives. A draft workplan has been submitted to IDEM that lays out the milestones and objectives from the permitting standpoint. The backlog issues will still be addressed as well as making sure the construction permits are issued quickly. The Board asked if the 2004 workplan would be available by the next meeting. Mr. Chavez stated yes. They then asked for a presentation of the 2004 initiatives for the entire Air Section be given at the next APCB Meeting. Mr. Chavez stated the 2004 workplan is approximately an eight (8) page document and will send this to the APCB members as part of their next packet.

**(Stationary Source Compliance Activities)**

Mr. Matt Mosier updated the Board on the Compliance Activities Report for November 2003. During the month of November, the Compliance Section inspected one (1) Title V source, two (2) FESOP sources, and three (3) SSOA sources. The three (3) SSOA sources were flagged, Seleco, Inc., Webber Manufacturing Company, Inc., and W.R. Beach General Contractor, Inc. They were flagged for paperwork violations and have since been resolved with Warning Letters. There were two (2) stack tests observed during the month of October. The percentage rate of sources flagged for non-compliance at inspection is 16%.

The Board asked if 2003 was a "compliance year." Mr. Mosier stated that a few years ago the Board stated it would be interesting to track the administrative compliance over the years. Mr. Mosier stated when staff first started quality assuring the reports for Title V, FESOP, and SSOA sources staff was sending twenty (20) to thirty (30) Warning Letters per quarter for late or missing reports. That has now decreased to five (5) or six (6) Warning Letters per quarter for late or missing reports. The Board asked if the tracking process has been more effective in getting more people to pay attention to their permit requirements. Mr. Mosier stated that having all the requirements in one document has made it easier for sources to know what needs to be done.

**(Notice of Violation/Agreed Judgement Activities Report)**

Ms. Carlson updated the Board on the Enforcement Activities Report for November 2003. During the month of November there were two (2) Warning Letters issued. There was one (1) source conference held with Reilly Industries.

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**New Information:**

Wishard Health Services - A Compliance Agreement was signed by the company on December 2, 2003 and a penalty of \$4,640 was assessed. This was for the paperwork problems.

The Board inquired about the status of the sources (Capitol City Metals, LLC, Goodyear Tire and Rubber, and Metalworking Lubricants Company) whose violations are over a year old. Ms. Carlson stated that the Enforcement Group is currently working with the Permit Group to determine the proper permitting issues with Capitol City Metals, LLC and will work towards resolution. This should be resolved in the first quarter of 2004. Goodyear Tire and Rubber is among a number of tire retreaders that are currently being looked at on a permitting basis for what the appropriate level of permit should be. Once that is decided, a determination will be able to be made on whether the permit they had was appropriate and if those were the conditions with which they needed to comply. The Board clarified that staff may have cited Goodyear Tire and Rubber for a violation that may not be accurate. Ms. Carlson stated, correct. Metalworking Lubricants Company was purposely left open for a year in case there were any other incidents that would occur that could be added to this action. Now that it has been a year, resolution will begin by incorporating odor controls. There has been some odor issues with Metalworking Lubricants but they have not been the natural gas odor as before.

The Board inquired about odor complaints in the Reilly Tar area. Ms. Carlson stated staff rarely gets calls concerning this facility. This is due to the involvement the company has with the neighborhood. They meet bi-monthly with the residents. The Board has asked if this approach could be used with the Metalworking Lubricants Company area. Ms. Carlson stated this approach has been attempted. The Board inquired when staff works towards resolution do they work with local management only. Ms. Carlson stated that whenever a violation occurs staff first tries to work locally and if there is not success they will then involve the parent company. In this case, it was not the company's unwillingness to work with the neighborhood, it was the neighborhood's unwillingness.

Mr. Dick Van Frank of Improving Kid's Environment asked if the Wishard Health Services incinerator is operating and when the issues with it will be resolved. Ms. Carlson stated the incinerator is operating and a stack test was conducted in early December 2003. Staff are in the process of reviewing the results. More information will be provided to the Board at the next APCB meeting.

Mr. Van Frank inquired what the status is for the twenty-eight (28) enforcement actions referred to the Prosecutor's Office. Ms. Carlson stated this is a phrase that is used in the ordinance as defining an enforcement action where there is going to be penalty assessed. A few years ago staff began utilizing an Administrative Hearing Officer process. Most of the actions do not go through the Prosecutor's Office, they go through the Administrative Hearing Officer process.

The Board asked if there have been cases referred for criminal prosecution in Marion County. Ms. Carlson stated if cases have been referred for criminal prosecution, they will not be reflected on this report. They will only show up on the report if the City seeks a civil penalty. The Board inquired if the APCB will have some sort of input if a civil action needs to be elevated to a criminal action. Mr. Senseny stated that from an informational standpoint yes, but the authority of the APCB would be strictly advisory in that capacity. Ms. Carlson stated there are some sensitive public information lines that the City has to be careful not to cross in criminal action cases. In criminal cases, staff does the initial investigation and if something is discovered that may be criminal, staff then turns it over to someone for further investigation.

Mr. Senseny updated the Board on voicing their concerns with the City's contracted street sweeping companies. Mr. Senseny spoke with the Contract Compliance Officer with DPW Operations. Yes, there is a liquidated damage clause within their contract. However, those damages will flow from not meeting goals, parameters, and sweep miles etc., within

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that particular contract. There is no connection between that and an environmental violation that may occur. There is no particular provision that will bar any type of action that the Enforcement Group could pursue on the strength of any type of report from any citizen or inspector.

**(School 21)**

Mr. Chavez provided an update to the Board on the School 21 Project. There was a small sub-group meeting at OES on December 29, 2003. Mr. Van Frank, Mr. Bill Beranek, staff from EPA, IDEM and OES met to discuss the Risk Characterization protocol. There was discussion on an EPA document that obtained various levels of acceptable risks that exists in EPA regulations and policies. It was a very productive meeting and IDEM sent out a revised Risk Characterization protocol later that week.

The next full stakeholder School 21 meeting is scheduled for Tuesday, January 13, 2004 at 1:00 p.m. at the Department of Public Works Training Center located at 2700 South Belmont Avenue. It is expected the Risk Characterization protocol will be finalized at this meeting. The Board asked what is the general range of acceptable risk being discussed? Mr. Chavez stated the general range is 1 in 10,000 to 1 in a million, which is the acceptable risk level included in the benzene NESHAP. The Board inquired if that is death? Mr. Chavez stated no, that it is the Incremental Lifetime Cancer Risk (ILCR) which is an increased chance of getting cancer. There has been discussion on overall mortality but not as much as the ILCR. It is anticipated that the overall mortality will be discussed further.

The group is struggling with ample margins of safety and additive effects. The group has not decided how or whether they will look at additive effects. There was discussion on doing some ingestion modeling. However, that will be very limited because there are not any soil data. IDEM is interested in running the emissions through a deposition model and coming up with a estimate on how much benzene can be in soil a certain distance from the plant. EPA has some exposure factors, which could be applied. This is modeling based information and the group needs to determine whether it will be useful or not.

The Board stated the 1 in 10,000 to 1 in a million is essentially arbitrary until the acceptable risk is determined. This judgment can not be made unless you plot parallel with it the economic cost of risk reduction at each end of the spectrum. Then an arbitrary decision needs to be made on much is willing to be spent for how much safety you are willing to obtain. The Board asked if there is a parallel discussion of economics with determining the acceptable risk.

Mr. Van Frank stated there is no economic discussions taking place. He stated his view is that IDEM does not want to engage in this discussion. Discussion on this issue has been attempted to be done by e-mail and there has been no participation from IDEM. He stated nothing has changed since the comments he made at the last APCB meeting. He stated he does not think it is economically feasible to get it down to 1 in a million in that area but he feels it should be considered. The initial IDEM approach is if it is not greater than 1 in 10,000 then there will be no action taken. Mr. Van Frank feels this is not realistic and does not adequately protect the citizens living in the area.

The Board stated it is important that the discussions broaden on the acceptable risk with the economic impact in mind. Mr. Van Frank stated he has made statements that the acceptable risk should be reduced as close to 1 in a million as possible considering the technical and economic feasibility of so doing. The Board does understand that the City does not have control over this process and that the City is simply a stakeholder in the group. It is the City's responsibility to continue to hold the issue up to the State and ask them to continue to do their duty.

The Board inquired if this issue has gotten any exposure from the State Air Pollution Control Board. Mr. Chavez stated he did not think IDEM has taken it before the State APCB. Mr. Hipple stated they discussed it briefly at the December 2003 meeting. IDEM gave a brief report and it did appear in the minutes from the meeting. The Board asked whom from IDEM as been assigned to this project. Mr. Chavez stated John Welch, a Senior

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Environmental Manager. However, Mr. Welch has been activated to military duty. Mr. Scott Deloney will be standing in for Mr. Welch until he returns. Mr. Chavez stated EPA and IDEM have been working closely on a lot of issues. EPA has taken on a greater leadership role in the group. They have a lot of interest in the project. Mr. Matt Lakin and Mr. Randy Robinson of the Air Toxins Section of the EPA have been involved in the project for sometime. Mr. Lakin is a risk assessor and Mr. Robinson is a modeler. At the last meeting, IDEM brought Mr. Rod Thompson who is in the Risk Assessment Group in the IDEM's Office of Land Quality.

**(Central Indiana Air Quality Advisory Group Update)**

Mr. Achgill updated the Board on the Central Indiana Air Quality Advisory Group. There has not been any action taken since the last APCB meeting. Mr. Chavez stated he has met with the team from IDEM and several corporate environmental executives from BP Amoco, Marathon Ashland, Indiana Petroleum Council and Exxon. There was a two-hour discussion on the roles that fuels will be playing. The petroleum company representatives voiced their concerns about fuels. The main concern is to not make a selection in Marion County that is only a Marion County solution because they have refineries and they have cost issues. It is not cost effective to do a special formulation of gasoline and diesel fuel for one town. They want to ensure that the solutions are looked at regionally vs. locally.

The petroleum industry is a very interested stakeholder group that wants to participate in this process. The next meeting is scheduled for January 16, 2004 at 1:00 p.m. the location is to be determined.

**RE: UNFINISHED BUSINESS**

**(Final Adoption of Regulation 10, Nitrogen Oxides)**

A public hearing was held prior to the Board meeting. There were no comments. OES Staff recommended the Board to proceed with Final Adoption of Regulation 10, Nitrogen Oxides. The Board agreed with Staff's recommendation. Mr. Wallace made a motion to Final Adopt changes to Regulation 1-2-3. Mr. Tom Barnard seconded the motion and said motion carried.

The notice of the final adoption will be printed in the Indianapolis Star for two consecutive weeks within forty-five days after this final adoption. A copy of the Final Adoption will be sent to the City-County Councillors. A copy will also be available at the City Clerk's Office as well as the Office of Environmental Services.

Mr. Martin stated staff is currently reviewing the State Rules to see if there is anything the City needs to incorporate by reference. If there is not, there will be no need to have another adoption of Regulation 1-2-3 until June 2004.

**(Resolution for Bernie Paul)**

Dr. Daly read an Indianapolis Air Pollution Control Board Resolution for Mr. Bernie Paul recognizing his service to the City of Indianapolis as a member of the Indianapolis Air Pollution Control Board for eleven (11) years. He has served on various committee's regarding improving the air quality in the City of Indianapolis.

**RE: NEW BUSINESS**

There was none.

**RE: ADJOURNMENT**

Mr. Wallace made a motion the meeting be adjourned. Mr. Barnard seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on February 12, 2004, at 9:30 A.M. in Room 107 of the City-County Building.



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AIR POLLUTION CONTROL BOARD

\_\_\_\_\_  
Dr. Robert Daly, Chairman

ATTEST:

\_\_\_\_\_  
John Chavez, Technical Secretary  
Indianapolis Air Pollution Control Board

Date: \_\_\_\_\_

**December 2003**  
**Monthly**  
**Air**  
**Quality**  
**Management**  
**Activities**

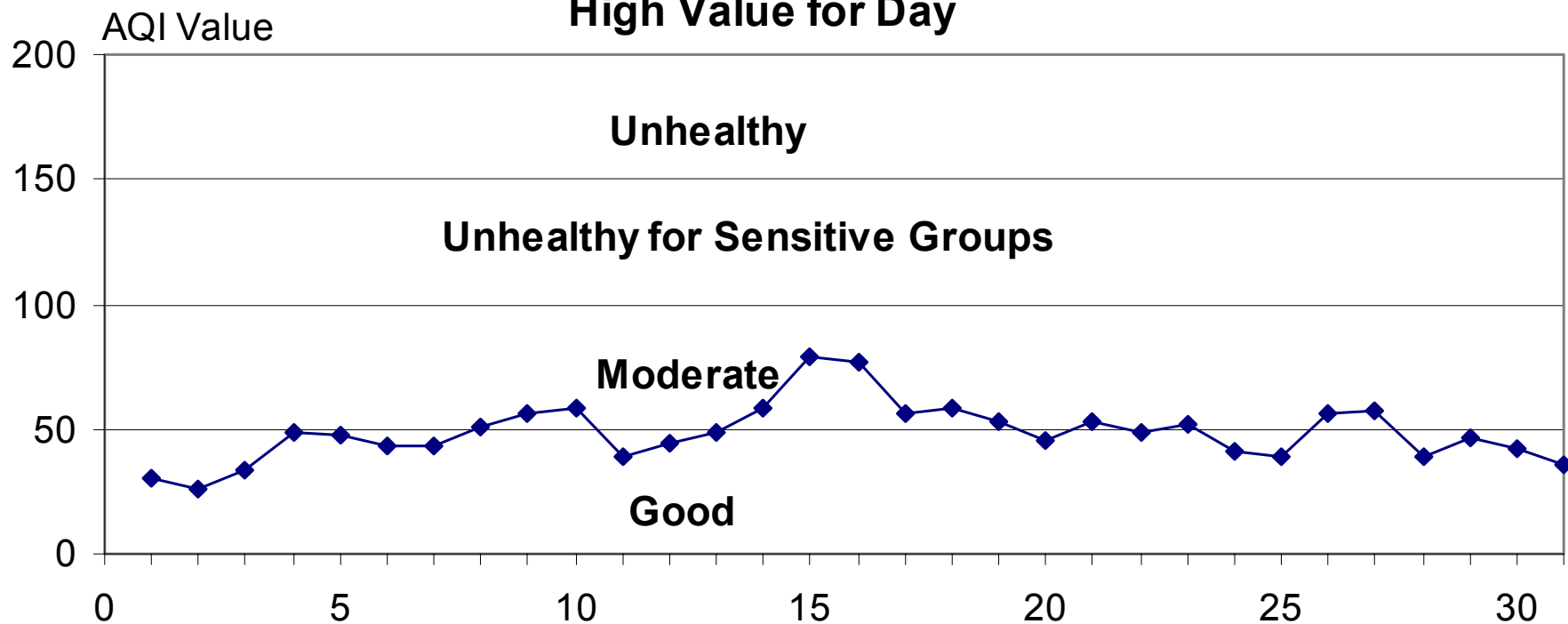
*Office of Environmental Services*

# Central Indiana

Air Quality Index

December 2003

High Value for Day

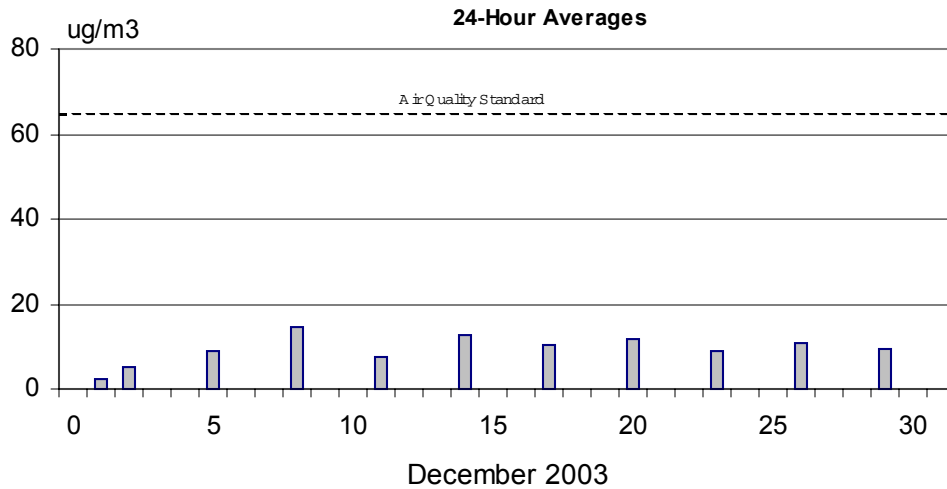


Pollutants included: O<sub>3</sub>, SO<sub>2</sub>, CO, PM<sub>2.5</sub>

For hourly updates of AQI values go to: [www.indy.gov/org/emd/airquality.htm](http://www.indy.gov/org/emd/airquality.htm) or call 327-4ARR

# Particulate Matter 2.5

8327 Mann Road  
Southwestway Golf Course

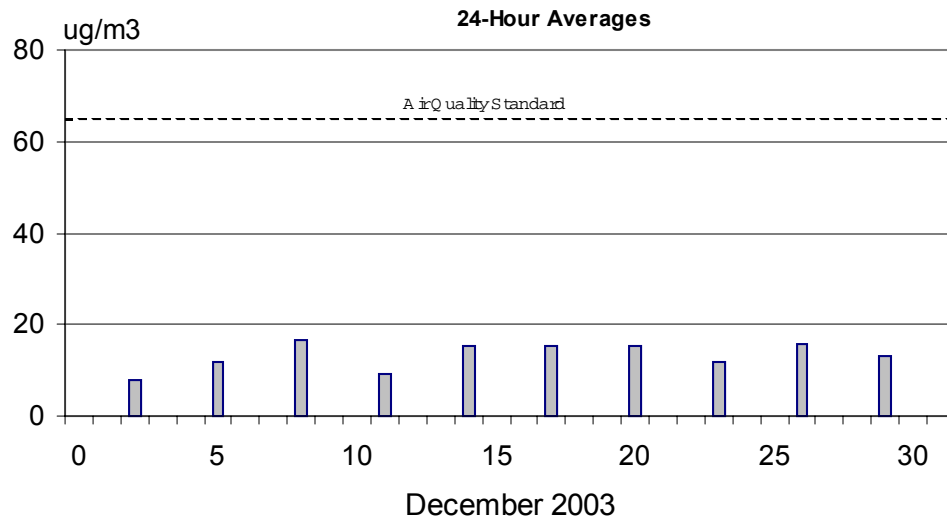


Site 19

	Monthly	YTD
1st High	14.7	46.1
2nd High	12.6	33.8

# Particulate Matter 2.5

South West Street  
DPW Facility

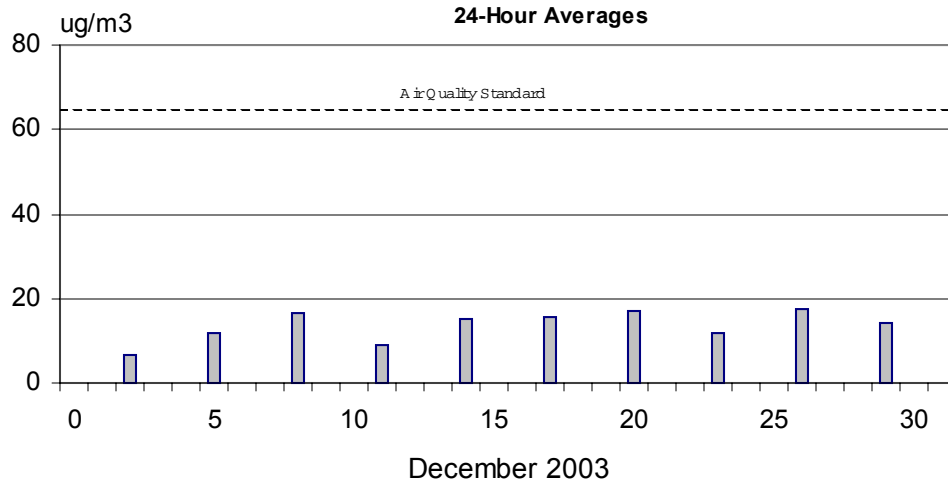


Site 2

	Monthly	YTD
1st High	16.8	55.6
2nd High	15.6	41.5

# Particulate Matter 2.5

English Avenue



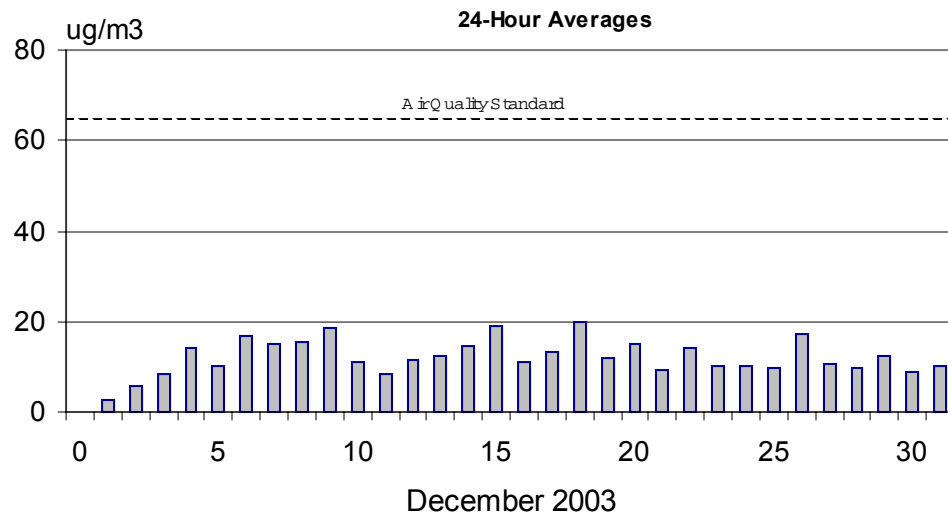
Site 11

	Monthly	YTD
1st High	17.6	57.3
2nd High	17.2	44.0

# Particulate Matter 2.5

Washington Park

Police Station



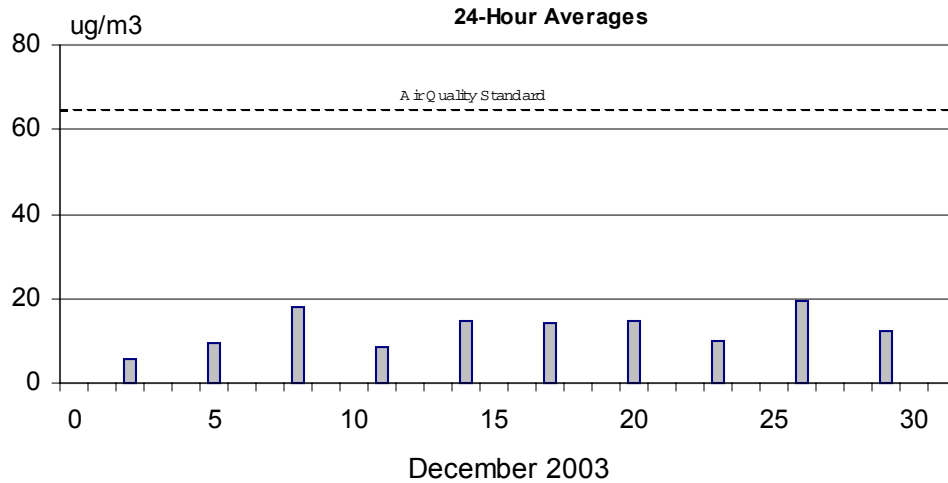
Site 41

	Monthly	YTD
1st High	19.8	54.1
2nd High	19.1	43.8

# Particulate Matter 2.5

West 18th Street

School 90



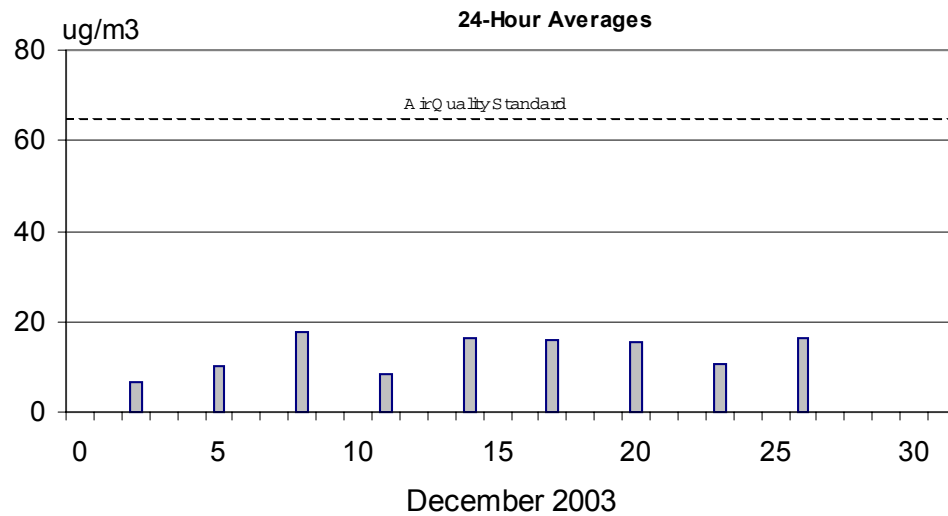
Site 43

	Monthly	YTD
1st High	19.2	57.8
2nd High	17.9	38.2

# Particulate Matter 2.5

East Michigan Street

School 15

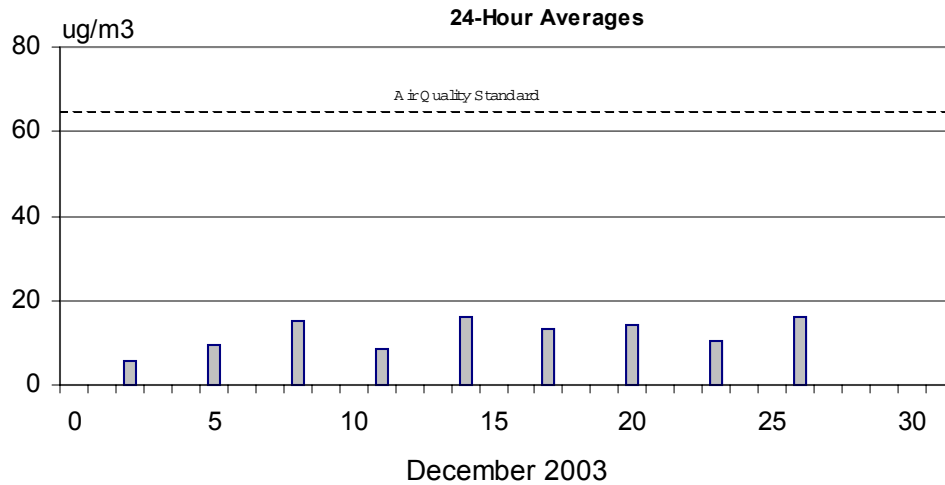


Site 44

	Monthly	YTD
1st High	17.8	54.5
2nd High	16.4	40.4

# Particulate Matter 2.5

7250 East 75th Street  
McKenzie Career Center

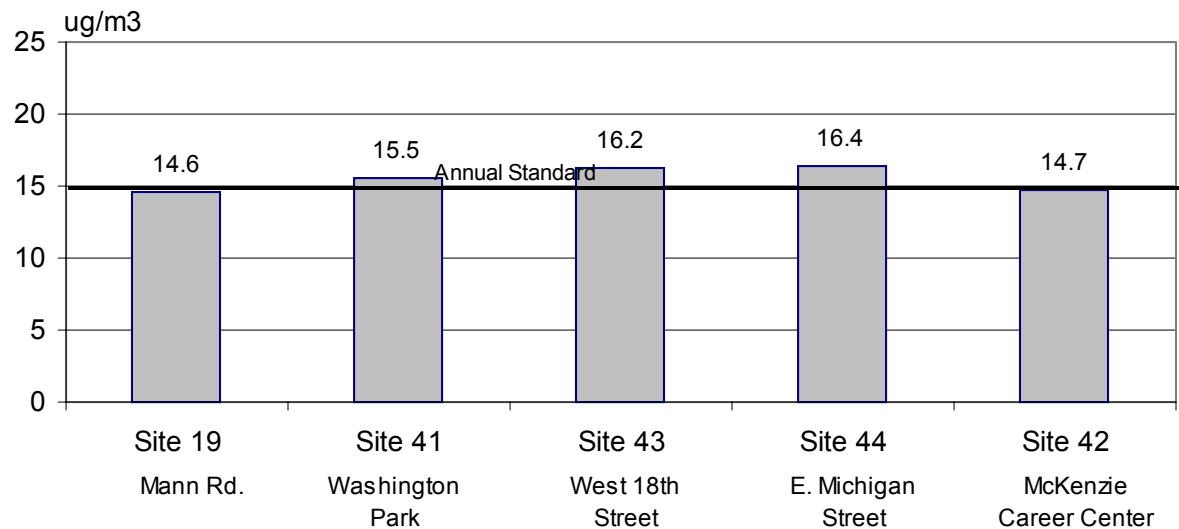


Site 42

	Monthly	YTD
1st High	16.2	51.6
2nd High	16.2	38.5

# Particulate Matter 2.5

Annual Averages  
December 2003



**PARTICULATE MATTER - 2.5 MICRON (PM2.5)**  
**2003**  
**24-Hour Averages (ug/m3)**

MONTH		SITE 2	SITE 11	SITE 19	SITE 41	SITE 42	SITE 43	Site 44
DECEMBER	DAY							
	1			2.5	2.8			
	2	7.8	6.7	5.4	5.6	5.6	5.7	6.6
	3				8.2			
	4				14.1			
	5	11.7	11.7	8.8	10.2	9.4	9.3	10.0
	6				16.8			
	7				14.9			
	8	16.8	16.5	14.7	15.6	15.3	17.9	17.8
	9				18.5			
	10				11.2			
	11	9.1	9.0	7.3	8.2	8.5	8.6	8.6
	12				11.6			
	13				12.2			
	14	15.1	15.3	12.6	14.6	16.2	14.9	16.2
	15				19.1			
	16				11.2			
	17	15.3	15.7	10.3	13.2	13.2	14.1	16.0
	18				19.8			
	19				11.9			
	20	15.4	17.2	11.9	15.0	14.2	14.7	15.3
	21				9.5			
	22				14.0			
	23	11.6	12.0	8.9	10.2	10.4	10.1	10.5
	24				10.0			
	25				9.8			
	26	15.6	17.6	10.6	17.2	16.2	19.2	16.4
	27				10.5			
	28				9.7			
	29	13.3	14.0	9.3	12.3		12.4	
	30				8.8			
	31				10.2			
	Mon.	13.2	13.6	9.3	12.2	12.1	12.7	13.0
	Avg.							
	YTD Avg.	17.2	17.4	14.6	15.5	14.7	16.2	16.4
	1st Max.	55.6	57.3	46.1	54.1	51.6	57.8	54.5
	2nd Max.	41.5	44.0	33.8	43.8	38.5	38.2	40.4
	PY Avg.	17.1	18.4	15.2	16.1	15.8	14.4	16.7
	3-Yr Avg.	NA	NA	14.9	16.0	15.5	15.9	16.7

PM 2.5 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 15 ug/m3

24-hour Standard:

3-year average of the annual 98th percentile values - 65 ug/m3



**PARTICULATE MATTER - 10 MICRON (PM10)**  
**2003**  
**24-Hour Averages (ug/m3)**

MONTH		SITE 2	SITE 11	SITE 19	Site 31	Site 44
DECEMBER	DAY					
	1					
	2					
	3					
	4					
	5	13	11	7	10	9
	6					
	7					
	8					
	9					
	10					
	11	14	10	8	11	8
	12					
	13					
	14					
	15					
	16					
	17	21	17	10	15	14
	18					
	19					
	20					
	21					
	22					
	23	11	9	7	9	7
	24					
	25					
	26					
	27					
	28					
	29	17	16	9	19	13
	30					
	31					
<b>Mon. Avg.</b>		15	13	8	13	10
<b>YTD Avg.</b>		25	25	17	24	22
<b>1st Max.</b>		52	56	38	61	50
<b>2nd Max.</b>		46	55	36	51	46
<b>PY Avg.</b>		21	20	17	22	19

PM 10 Primary  
Standards:

Annual Standard:

3-year average of the annual mean concentrations - 50 ug/m3

24-hour Standard:

3-year average of the annual 99th percentile values - 150 ug/m3

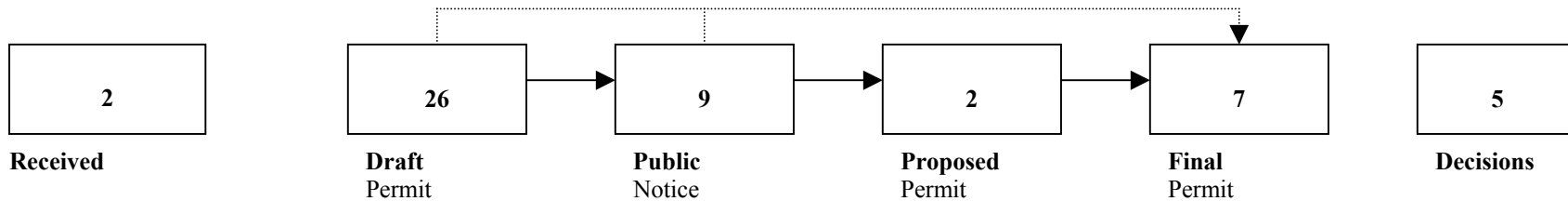
# Office of Environmental Services

## Air Permit Application Processing

Received/Issued/Active in December 2003. Year to Date 2003

Permit Level	Received	Received YTD	Decisions	Decisions YTD	Active Workload
Amendments	0	0	0	1	0
Initial Title V	0	1	1	7	11
Ongoing Title V	1	18	2	16	9
FESOP	1	21	2	46	21
MSOP	0	24	1	40	8
Registration	0	6	0	25	2
SSOA	0	3	0	7	0
Exemption	0	9	0	34	2
Permit by Rule	0	2	0	4	0
Review Request/Undetermined	0	7	0	10	0
Totals	2	91	6	190	53

## Process Breakdown



Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days
Monthly Received	18593	00008	Central Soya Company Inc	FESOP	Administrative Amendment	12/31/03					26
Monthly Received	18308	00040	Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings	Title V	Renewal	12/10/03					47
Initial Processing	18593	00008	Central Soya Company Inc	FESOP	Administrative Amendment	12/31/03					26
Draft	15558	00186	Ashland Chemical Corporation	FESOP	Renewal	04/12/02					511
Draft	18181	00020	Cargill Dry Corn Ingredients, Inc.	Title V	Administrative Amendment	09/29/03					16
Draft	17173	00008	Central Soya Company Inc	FESOP	Renewal	01/28/03					363
Draft	17880	00141	Citizen Gas-Coke Utility	FESOP	Renewal	08/26/03					153
Draft	16972	00287	Citizen's Gas And Coke Utility	Title V	Renewal	03/27/03					305
Draft	12224	00034	Citizens Thermal Energy	Review Request		05/03/00					152
Draft	17027	00034	Citizens Thermal Energy	Title V	SPM - NOx Budget Permit	05/23/03					248
Draft	14592	00302	Corsi Cabinet Company, Inc.	FESOP	Renewal	06/26/01					944
Draft	18319	00517	Diamond Chain	Permit By Rule		09/24/03			01/22/04		105
Draft	6846	00072	Eli Lilly & Company-Lilly Technology Center-COMB	Title V		10/08/96					2,666
Draft	18308	00040	Engineered Polymer Solutions, Inc. d/b/a Valspar Coatings	Title V	Renewal	12/10/03					47
Draft	17400	00135	Geiger & Peters, Inc.	FESOP	Renewal	06/09/03					231
Draft	11976	00104	Hanson Aggregates Midwest, Inc. COMBP	MSOP		03/07/00					
Draft	17036	00352	IPALCO (IPL) - Georgetown Substation Generating Plant	Title V	SPM - NOx Budget Permit	08/18/03					161
Draft	17035	00033	IPALCO (IPL) - Harding-E. W. Stout Gen. Station-COMB	Title V	SPM - NOx Budget Permit	08/18/03					161
Draft	18055	00156	Indianapolis Airport Authority	Undetermined		08/19/03					160
Draft	18317	00063	Interstate Castings, Inc.	FESOP	Renewal	11/05/03					82
Draft	15740	00086	Milestone Contractors, L.P.	FESOP	Renewal	05/23/02					139
Draft	18139	00272	Mortex Products, Inc.	MSOP		02/22/99					

Draft	18105	00510	Premier Bandag #4	FESOP		09/04/03	01/23/04	01/15/04	56
Draft	18321	00518	Raytheon Aircraft Service - Indianapolis	Undetermined		10/31/03			87
Draft	7552	00315	Reilly Industries, Inc. -COMB	Title V		12/12/96			2,601
Draft	18257	05241	Rieth-Riley Construction Company, Inc.	FESOP		10/21/03			
Draft	18042	00286	Superior Oil Company, Inc.	Title V	Renewal	10/03/03			115
Draft	11671	00273	Toyoshima Indiana, Inc.	MSOP		12/16/99			
Draft	15259	00320	Wingfoot Commercial Tire Systems, LLC	FESOP		11/26/01	01/23/04		760
Public Notice	6898	00310	Allison Transmission Division-COMB	Title V		10/11/96	07/01/99		2,602
Public Notice	7302	00061	Citizens Gas and Coke Utility	Title V		11/27/96	12/29/03		2,600
Public Notice	6485	00012	Daimler Chrysler - Indpls. Foundry	Title V		08/29/96	12/31/03		1,762
Public Notice	15452	00280	General Motors Powertrain Engineering	FESOP		05/09/01	12/11/03	01/10/04 01/10/04	99
Public Notice	17405	00424	IPALCO (IPL) - Calciment Blend Corp.-COMB	Title V		04/01/03	12/31/03		253
Public Notice	6566	00033	IPALCO (IPL) - Harding-E. W. Stout Gen. Station-COMB	Title V		09/13/96	12/31/03		2,691
Public Notice	6993	00039	International Truck and Engine Corporation	Title V		10/24/96	10/23/98		2,633
Public Notice	17395	00095	Panhandle Eastern Pipeline Company	Title V	Renewal	03/26/03	12/03/03	01/02/04	284
Public Notice	6201	00079	Quemetco, Inc.	Title V		06/28/96	12/31/03		2,768
Proposed	6567	00034	Citizens Thermal Energy	Title V		09/13/96	10/18/03	11/17/03	2,691
Proposed	7714	00042	National Starch And Chemical Company	Title V		12/13/96	07/26/03	08/25/03	2,549
Final	12612	00002	American Art Clay Company	FESOP	New Source FESOP (Minor PSD/EO) (120)	08/11/00	08/05/03	09/04/03 09/04/03	1,211
Final	14984	00170	Interstate Brands Corporation	FESOP	Renewal	10/17/01	10/21/03	11/20/03 11/20/03	809
Final	15876	00063	Interstate Castings, Inc.	FESOP	Minor Permit Revision	07/15/02		04/02/03	560
Final	14822	00275	Major Tool & Machine, Inc.	FESOP	Renewal	09/04/01	11/01/03	12/01/03 12/01/03	874

Final	16898	05229	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor PSD/EO) (120)	03/10/03			05/28/03		28
Final	16900	05230	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor PSD/EO) (120)	03/10/03			05/28/03		28
Final	12525	00391	Royal Spa Mfg.	FESOP	New Source FESOP (Minor PSD/EO) (120)	07/28/00	11/20/03	12/20/03	12/20/03		1,204
Monthly Issued	7963	00028	ADM Grain Company	MSOP		12/13/96	10/25/03	11/24/03	11/24/03	12/29/03	101
Monthly Issued	13705	00352	IPALCO (IPL) - Georgetown Substation Generating Plant	Title V		01/04/01	09/06/02	10/06/02	07/02/03	12/10/03	1,070
Monthly Issued	18447	00298	Print Communications	FESOP	Administrative Amendment	11/25/03			12/15/03	12/18/03	23
Monthly Issued	17256	00129	Saint Vincent Hospitals & Health Care Service	Title V	Significant Source Mod. (Minor PSD/EO) (120)	05/08/03	09/25/03	10/25/03	10/27/03	12/02/03	122
Initial Processing	18551	00519	J.K.J. INC DBA (MAACO Auto Painting)	SSOA		08/01/03					
Draft	17949	00111	Capitol City Metals, LLC - Shredding Yard	FESOP	Significant Source Mod. (Minor PSD/EO) (120)	07/17/03					27
Draft	17276	00012	Daimler Chrysler - Indpls. Foundry	Title V	Significant Source Mod. (Minor PSD/EO) (120)	05/09/03					37
Draft	16993	00301	Horner Electric	Registration	Registration Revision	12/20/03					
Draft	18271	00039	International Truck and Engine Corporation	Title V	Significant Source Mod. (Minor PSD/EO) (120)	10/23/03					79
Monthly Issued	18189	00514	American Art and Clay	FESOP	Significant Source Mod. (Minor PSD/EO) (120)	09/25/03	11/01/03	12/01/03	12/01/03	12/09/03	15
Public Notice	18261	00516	Taylor Tire Treading Company	MSOP	Significant Source Mod. (Minor PSD/EO) (120)	10/17/03	12/29/03				68
Monthly Issued	17919	00129	Saint Vincent Hospitals & Health Care Service	Title V	Significant Permit Modification	07/09/03	09/25/03	10/25/03	11/21/03	12/02/03	111

**Activities Report**  
**From December 1, 2003 to December 31, 2003**  
**Office of Environmental Services**  
**Data Compliance Section**

**Title V Sources**

ID Number	Name	Inspection Date	Flagged
12101-00061	Citizens Gas and Coke Utility	12/04/03	
11621-00366	Southside Landfill	12/19/03	

**FESOP Sources**

ID Number	Name	Inspection Date	Flagged
15203-00076	BP – Amoco	12/16/03	
13884-00111	Capitol City Metals	12/01/03	X
14709-00081	Dorsey Asphalt Paving	12/10/03	
11275-00338	Roche Diagnostics	12/19/03	
16154-00050	Von Duprin	12/05/03	

**SSOA Sources**

ID Number	Name	Inspection Date	Flagged
06806-5136	E&B Concrete	12/23/03	
14334-00402	The Indianapolis Star	12/19/03	
06802-05122	Irving Materials Concrete	12/18/03	
9996-05181	Martin Marietta – Belmont Mine	12/16/03	
7273-00045	Martin Marietta – Kentucky Mine	12/19/03	
16165-00173	McKnight Property Management	12/11/03	
5131-00189	Praxair Gas Tech	12/16/03	
06841-1331	Rieth Riley Concrete	12/22/03	
06938-1606	Rieth Riley Concrete	12/22/03	
06831-1332	Rieth Riley Concrete	12/22/03	

**Permit by Rule Sources**

ID Number	Name	Inspection Date	Flagged

**State Minor Sources**

ID Number	Name	Inspection Date	Flagged

**Registration Sources**

ID Number	Name	Inspection Date	Flagged
00208	Henry Company	12/15/03	
13827-00301	Horner Electric	12/03/03	

**Exemptions Sources**

ID Number	Name	Inspection Date	Flagged

**Other Sources**

ID Number	Name	Inspection Date	Flagged

**Stack Tests/CEM**

ID Number	Name	Observation Date*	Pollutant Tested	Flagged

**YTD Totals**

Inspections Completed for Clean Air Act Permit Sources (Title V, FESOP, & SSOA)	Inspections Completed for Non-Title V Permit Sources	Number of Permitted Sources Flagged	Percentage Rate of Sources Flagged at Inspection	Number of Compliance Reports Quality Assured	Number of Stack Test /CEM Observed
117	9	17	15	906	36

**NOTICE OF VIOLATION WITHOUT REFERRAL**  
**December, 2003**

<b><u>Date of Violation(s)</u></b>	<b><u>Name/Location</u></b>	<b><u>Regulation Violated</u></b>	<b><u>Description</u></b>
12/30/03	Auto Exchange, Inc. 3452 Shelby Street	13-3-1(1)	Motor Vehicle Tampering and Fuel Switching
12/12/03	Hilliard-Kosene, Inc. 4330 North Michigan Road	6-4-4	Motor Vehicle Fugitive Dust Sources (Tracking onto paved roadway)

**NOTICE OF VIOLATION WITH REFERRAL TO PROSECUTOR**  
**December, 2003**

<b><u>Date of Violation(s)</u></b>	<b><u>Name/Location</u></b>	<b><u>Regulation Violated</u></b>	<b><u>Description</u></b>
None issued.			

**WARNING LETTERS**  
**December, 2003**

<b><u>Date</u></b>	<b><u>Name/Location</u></b>	<b><u>Regulation Violated</u></b>	<b><u>Description</u></b>
10/31/03	Asphalt Materials 5400 West 86 <sup>th</sup> Street	2-1-1(H)(1)(c)	Permits (late submittal of quarterly compliance report)
1/31/03	Seleco, Inc. 8427 Zionsville Road	2-1-1(H)(1)(c)	Permits (late submittal of annual compliance certif.)
7/14/03	Von Duprin Division 2720 Tobey Drive	2-1-1(H)(1)(c)	Permits (exceedance of daily VOC limit)
1/31/03	W.R. Beach General Contractor, Inc. 820 West Sumner Avenue	2-1-1(H)(1)(c)	Permits (late submittal of annual compliance certif.)
1/31/03	Webber Manufacturing Company, Inc. 8498 Brookville Road	2-1-1(H)(1)(c)	Permits (late submittal of annual compliance certif.)
12/17/03	William T. Dalton Wrecking Company 1532-1544 West Washington Street	14-10-5(2)	Emission Standards for Asbestos: Demolition and Renovation Operations (no notification prior to demo.)

**SOURCE CONFERENCES**  
**December, 2003**

<b><u>Date</u></b>	<b><u>Source</u></b>	<b><u>Topics</u></b>	<b><u>Results</u></b>
None held.			

**TICKETS AND SUMMONSES**  
**December, 2003**

None issued.

**YTD Totals:**

<b>Asbestos Inspections Completed</b>	<b>Mobile Source Inspections Completed</b>	<b>Environ- mental Inspections Completed</b>	<b># of Enforce- ment Actions Taken With Referral</b>	<b># of Warning Letters Issued</b>	<b># of Enforce- ment Actions Taken Without Referral</b>	<b># of Enforce- ment Actions Resolved</b>	<b># of Requests for Enforce- ment Technical Assist-ance</b>	<b># of Complaints</b>	<b># of Open Burning Warnings</b>
313	2097	5571	27	95	45	148	1013	229	69



**CITY OF INDIANAPOLIS**  
**Office of Environmental Services**  
**Air Pollution Enforcement Actions**  
**December 17, 2003**  
Prepared by Cheryl Carlson

Denotes New Information

**EPA Cases --**

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
<u><b>International Truck and Engine Corporation</b></u> <u>5565 Brookville Road</u>	<u>40 CFR § 52.24(a) (installation of 13 cold box core machines without proper permitting)</u>	<u>1977, 1979, 1985, 1988, 1989, 1990, 1991, and 1995</u>	<u>12/19/03</u>			

**State Cases --**

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
<b>Citizens Gas and Coke Utility</b> 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	3 <sup>rd</sup> quarter 2002 (E & H)	2/24/03	9/25/03		
<b>Citizens Gas and Coke Utility</b> 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	4 <sup>th</sup> quarter 2002 (E & H)	6/3/03	9/25/03		
<b>Citizens Gas and Coke Utility</b> 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	1 <sup>st</sup> quarter 2003 (E & H)	8/18/03	9/25/03		
<u><b>Citizens Gas and Coke Utility</b></u> <u>2950 Prospect Street</u>	<u>326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"</u>	<u>2<sup>nd</sup> quarter 2003 (E &amp; H)</u>	<u>1/22/04</u>			

City Cases —

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
<b>B. Jones Paving, Inc.</b> 1935 Kentucky Avenue	Chapter 511, Section 511-702 "Open Burning Restricted; General Prohibitions"	9/10/03	9/22/03	Telephone conversation 10/16/03	10/17/03	<u>1/27/04</u> <u>Penalty of</u> <u>\$500.00</u>
<b>Capitol City Metals LLC</b> <b>(Indianapolis Shredding Company)</b> 311 South Shelby Street	2-1(H)(1)(c) "Permits" (failure of a stack test conducted to determine compliance with permit for metal/fluff separator)	9/22/99	5/22/00 Revised 6/26/01 Revised 4/17/03	8/15/01 10/4/02 Stack test conducted on 7/18/03		
<b>Capitol City Metals LLC</b> <b>(Indianapolis Shredding Company)</b> 311 South Shelby Street	6-4-2 "Fugitive Dust Emissions"	5/11/01, 12/11/02, and 1/17/02	4/17/03			
<b>Citizens Gas and Coke Utility</b> 2950 Prospect Street	2 "Permits" (Exceedance of visible emissions limit from Battery 1 from daily Method 303; exceedance of rolling 30 day average limit for Method 303; failure to keep records of routine air pollution maintenance; exceedance of H2S limit)	10/8/02; 3/6/01 - 2/8/03 (76 days); 8/7/02 - 8/20/02 and 10/17/02 - 10/22/02; prior to 8/1/02; 2/17/01 - 2/12/03 (104 days)	3/26/03 Revised 5/14/03	5/2/03 Correspondence received 6/9/03		
<b>DaimlerChrysler Corporation</b> <b>Indianapolis Foundry</b> 1100 South Tibbs Avenue	2 "Permits", Section 1-1(H)(1)(c) (failure to keep records)	Various dates from 1/1/99 through 3/31/02	10/6/03	10/27/03		
<b>Goodyear Tire and Rubber Company</b> 1950 West Edgewood Avenue	2 "Permits", Section 1-1(H)(1) (c) (failure to comply with permit conditions)	4/15/00, 8/29/00 (3 violations)	1/9/01	2/2/01 Additional information received on 7/11/01		
<b>Indiana University - Purdue University at Indianapolis</b> 635 Barnhill Drive	14-10 "Emission Standards for Asbestos: Demolition and Renovation Operations", Section 8-1(c), 8-2(a), 8-2(b), and 8-2(c)	8/15/02 and 10/10/02	1/8/03	Meeting held on 10/11/02 2/19/03 Additional information received on 3/25/03 and 8/27/03		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
<b>International Truck and Engine Company</b> 5565 Brookville Road	2 "Permits", Section 1-1(H)(1)(c) (Failure to keep records, late stack test report, CWOP/OWOP)	2 <sup>nd</sup> Quarter 2000 - 2 <sup>nd</sup> Quarter 2002; various date from 6/5/00 - 5/28/02; 10/11/02; March 2002	9/12/03	10/8/03		
<b>Metalworking Lubricants Company</b> 1509 South Senate Avenue	Chapter 511 "Air Pollution Control Ordinance", Section 511-701	11/1/01	12/10/01	1/16/02		
<b>Reilly Industries, Inc.</b> 1500 South Tibbs Avenue	6 "Particulate Emission Limitations", Section 1-1-12 <u>Non-Attainment Limitations</u> ; 20 "Hazardous Air Pollutants", Section 11 <u>Synthetic Organic Chemical Manufacturing Industries</u>	Calendar year 2001 and Calendar year 2002 (TSP SIP); 9/12/02 (failure to use zero calibration gas); 6/19/99, 6/26/99, 11/25/00, and 11/16/01 (leak detection and repair); 9/22/02 through 5/28/03 (failure to keep temperature records)	10/14/03	11/6/03		
<b>Smoot Construction, LLC</b> 2001 West 18 <sup>th</sup> Street 635 Barnhill Drive	14-10 "Emission Standards for Asbestos: Demolition and Renovation Operations", Section 8-1(a), (b), and (c)	8/14/012, 8/15/02, and 10/10/02	1/9/03	Meeting held on 10/11/02 9/23/03 Additional information received 10/15/03		
<b>Statewide Medical Services and Supply, Inc.</b> <b>MED/dispose, Inc.</b> 3601 East 9 <sup>th</sup> Street	2 "Permits", Section 1-1(H)(1)(c) (Failure to comply with permit condition) and 511-304(a) (Failure to submit a permit application)	6/6/01 to present, various dates 9/5/01 through 9/21/01 (9 days), 10/30/0	6/16/03	8/11/03	6/16/03	
<b>Wishard Health Services</b> 1001 West 10 <sup>th</sup> Street	2 "Permits", Section 1-1(H)(1)(b) (failure to comply with dioxin/furan emissions during stack test)	2/6/02 through 2/8/02	7/14/03	8/25/03		

**December 11, 2003 - APPROVED AS PRESENTED - January 8, 2004**  
**INDIANAPOLIS AIR POLLUTION CONTROL BOARD**  
**CITY OF INDIANAPOLIS**

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The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on December 11, 2003 at 9:30 a.m. in Room 107 of the City-County Building.

**THOSE PRESENT WERE:**

Robert Daly, Chairman  
Bernie Paul, Vice Chairman  
Bill Brown, Member  
Chuck Fraley, Member  
Dennis Achgill, Member  
Tom Rarick, Member  
Bruce Wallace, Member  
John Chavez, Technical Secretary  
Matt Senseny, Board Counsel

**ABSENT:**

Tom Barnard, Member  
Roland Salman, Member

**GUESTS PRESENT:**

Wade Kohlmann, Citizens Gas & Coke Utility  
Richard Van Frank, Improving Kids Environment  
Denise Curtis, National Starch and Chemical Company

**RE: CALL TO ORDER - PUBLIC HEARING**

Dr. Robert Daly called the Public Hearing to order to adopt the Indianapolis Air Pollution Control Board (IAPCB) Regulation 10, Nitrogen Oxides. He stated that he and the other IAPCB members would serve as Hearing Officers for the Public Hearing. Notice of the Public Hearing was published in the *Indianapolis Star* and the *Indianapolis Recorder* on December 1, 2003 and copies of the proposed regulation have been available for public inspection at the Office of Environmental Services and at the City Clerk's office. The Board offered to accept oral or written testimony from any interested party at the hearing.

Mr. Tom Hipple summarized Regulation 10, Nitrogen Oxides (NOx). He distributed a copy of the regulation to the Board. The purpose of this Regulation is to reduce NOx emissions. The regulation as envisioned will reduce NOx emissions by 30% by what the emissions would be if Regulation 10 were not adopted. NOx emissions will be reduced between now and the year 2007. Staff is requesting the Board to adopt Regulation 10, Nitrogen Oxides.

At the last meeting, staff had recommended that Section 4 of Regulation 10 not be adopted. This was because staff felt it was not necessary to adopt Section 4 because the City of Indianapolis does not have a role in it. Based on a request from the Board, staff reviewed their initial suggestion and decided to include Section 4 of Regulation 10 in the adoption process. Staff asked the Board to continue the Public Hearing until the January 8, 2004 Board meeting to provide opportunity for the public to understand the change.

The Board asked if staff had received any comments. Mr. Rick Martin stated no. There are two sources in Marion County that will be impacted by adoption of Regulation 10. Mr. Martin stated that staff had contacted them to invite them to the Public Hearing, but never heard back from them.

The Board asked for clarification on the Ordinance Review Committee (ORC) minutes from their November 13, 2003 meeting. The minutes stated the NOx Emissions Trading Program is administered by the Indiana Department of Environmental Management (IDEM). Staff have since referenced the program is being administered by the U. S. Environmental Protection Agency (EPA). The actual language states "The U. S. Environmental Protection Agency will administer the program." This will be reflected in a "revised version" of the ORC minutes of the November 13, 2003 meeting.

**December 11, 2003 - APPROVED AS PRESENTED - January 8, 2004**  
**INDIANAPOLIS AIR POLLUTION CONTROL BOARD**  
**CITY OF INDIANAPOLIS**

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Mr. Bruce Wallace made a motion that the Public Hearing be continued until January 8, 2004 at 9:30 a.m. in Room 107 of the City-County Building. Mr. Bill Brown seconded the motion and said motion carried.

**RE: CALL TO ORDER - REGULAR MEETING**

Dr. Robert Daly called the meeting to order.

**RE: ADOPTION OF AGENDA**

Dr. Daly solicited modifications to the Agenda. There were three (3) additions presented by Mr. Brown, Mr. John Chavez and Mr. Martin.

1. Under item (7) Unfinished Business (c), Update on Findings of Meeting with Marion County Fire Chiefs on open burning.
2. Under item (8) New Business (a), Resolution for Bernie Paul.
3. Under item (8) New Business (b), Update on ozone.

Mr. Tom Rarick made a motion the Agenda be adopted as amended. Mr. Bill Brown seconded the motion and said motion carried.

**RE: ANNOUNCEMENTS**

Mr. Chavez announced that the 2004 Indianapolis Air Pollution Control meeting schedule was included in the Board member's packet. The meetings will be held the second Thursday of each month. The regular meetings will begin at 9:30 A.M. The Ordinance Committee meetings will begin at 8:30 A.M. and last until the start of the Board meeting. These will be held in room 107 of the City-County Building with the exception of the March 11, 2004 and May 13, 2004 meetings. These will be held in Room 118 of the City-County Building. He also announced the Board members have been given an application for a 2004 City-County Building Parking Garage Permit. These need to be completed and turned in at the end of the meeting.

Mr. Chavez announced that effective January 1, 2004 Ms. Barbara Lawrence, the Director for the Department of Public Works, has been asked, and has agreed, to serve as the City of Indianapolis Controller. Her leadership and active involvement in the Department of Public Works will be missed.

Dr. Daly announced Mr. Bernie Paul has resigned as the Process Manufacturing representative for the Indianapolis Air Pollution Control Board. A resolution for Mr. Paul will be addressed under New Business.

**RE: APPROVAL OF MINUTES**

Dr. Daly solicited modifications to the Minutes for the November 13, 2003 meeting. There were none. Mr. Chuck Fraley made a motion that the Minutes be approved as presented. Mr. Paul seconded the motion and said motion carried.

**RE: STAFF REPORTS - October 2003, Monthly Activities Report**

**(Air Monitoring Activities Report)**

Mr. Childs updated the Board on the Air Monitoring Activities for October 2003. He stated there were twice as many days the Air Quality Index (AQI) was in the Good category than in the Moderate category. These are normal readings for this time of year. The PM<sub>2.5</sub> annual averages are still above the standard. However, they have dropped a little bit from the previous month.

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The Board inquired if the annual standard is a calendar standard. Mr. Childs stated in order to obtain the annual average the quarterly averages are averaged together. Once there are three (3) years of annual averages, then these averages are averaged to determine if the standard has been met. The Board then asked if it could be determined if the year 2003 is going to be a cleaner year than 2002 and 2001. Mr. Childs referred to the chart in the Air Monitoring Activities report and stated some sites will be better and some worse.

The Board asked if there are any states east of the Mississippi River that are going to comply with the PM<sub>2.5</sub> standard. Mr. Childs stated there are some states that are not as bad. Mr. Martin stated a presentation was given regarding this issue to a group of environmental managers, and offered to present the same information at a future APCB meeting.

Mr. Childs stated OES staff is participating in a one-year study on PM<sub>2.5</sub> organics. The Lake Michigan Air Directors Consortium (LADCO) is sponsoring this study and will do a speciation of the PM<sub>2.5</sub> organic filters in Indianapolis. LADCO is also sponsoring studies in two or three other locations in the mid-west.

Mr. Martin stated staff would gather more information and give the Board and update on PM<sub>2.5</sub>. Dr. Daly stated sometime in the first quarter would be fine.

**(Permit Activities Report)**

Mr. Keshav Reddy updated the Board on the Permit Activities Report for October 2003. There were six (6) applications received and twelve (12) decisions made. There are thirty-four (34) in draft stage, six (6) on public notice, two (2) proposed, and eleven (11) in the final stage.

By the end of the year, there will be one (1) Title V permit issued and four (4) Title V draft permits on public notice.

**(Stationary Source Compliance Activities)**

Ms. Cheryl Carlson updated the Board on the Compliance Activities Report for October 2003. During the month of October, the Compliance Section inspected five (5) Title V sources, four (4) FESOP source, and two (2) SSOA sources. There were two (2) sources flagged, St. Vincent Hospital and Wishard Memorial Hospital. St. Vincent Hospital has been referred to the Enforcement Section for construction and operation without a permit. Wishard Hospital was flagged for the stacktest violation. There were two (2) stack tests observed during the month of October. The percentage rate of sources flagged at inspection is 14%.

**(Notice of Violation/Agreed Judgement Activities Report)**

Ms. Carlson updated the Board on the Enforcement Activities Report for October 2003. During the month of October, there were four (4) Notices of Violation (NOV) without referral, two (2) NOV's with referral, and two (2) Warning Letters issued. There were also two (2) source conferences held.

**New Information:**

Mr. John Brown - A Compliance Agreement was signed by the company on October 15, 2003, and a penalty of \$500.00 was assessed.

DaimlerChrysler Corporation - Staff met with source on October 27, 2003 and is drafting a proposed Compliance Agreement.

Gradex, Inc. - A Compliance Agreement was signed by the company on November 6, 2003, and a penalty of \$1500.00 was assessed.

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National Starch and Chemical - A proposed Compliance Agreement was signed by the company on September 26, 2003, and a penalty of \$4,800.00 was assessed.

Prairie Group, Inc. - A Compliance Agreement was signed by the company on October 24, 2003, and a penalty of \$2,400.00 was assessed.

Reilly Industries, Inc. - A source conference was held with the company on September 23, 2003 and October 11, 2003. Staff has received additional information concerning their violation. Staff has drafted a proposed Compliance Agreement.

Sweeping Contractors - A Compliance Agreement was signed by the company on October 24, 2003, and a penalty of \$3,000.00 was assessed.

Wishard Health Services - A proposed Compliance Agreement has been sent to the company.

The Board asked if Sweeping Contracts is doing better. Ms. Carlson stated it comes down to individual drivers doing what they need to do. Staff continue to observe them. Winter time is going to be more difficult because water can not be used as much because of potential freezing. The Board asked if there are any additional penalties in their contract with the City of Indianapolis for not complying over what OES can enforce. Ms. Carlson stated she knows there are some work practices requirements but she is not sure of the schedule. The Board then asked if it was standard in City contracts to have liquidated damages. Mr. Matt Senseny stated some do and some do not. He stated he would get with the Attorney who oversees this particular contract and report back to the Board.

The Board finds it frustrating when a City contracted street sweeper is spewing more dust than it is sweeping up. If all they are going to receive is a slap on the wrist from the APCB, there is nothing keeping them from continuing this practice. The Board feels there needs to be stiffer penalties in the contract that the City holds with these contractors. Mr. Senseny stated he would voice the Board's concerns with DPW Operations.

The Board inquired the status of I.U.P.U.I. Ms. Carlson stated a proposed Compliance Agreement as been drafted in is currently in internal review. It is expected to be sent to the company by the first of the year.

**(School 21)**

Mr. Chavez provided an update to the Board on the School 21 Project. There was a meeting on December 2, 2003, at the Department of Public Works Training Center. There were approximately forty (40) stakeholders at this meeting. There was an overview of the accomplishments and tasks that have been completed relative to the grant agreement. Also presented was a matrix of milestones and objectives for 2004, which is currently being discussed by the stakeholder group. Staff are currently taking comments on the 2004 work plan.

OES Staff compiled a PowerPoint presentation that compared the wind data and the benzene concentration data from the onset of the monitoring which was May 15, 2003 through October 15, 2003. There were five (5) months of data. A presentation will be provided to the APCB after there has been six (6) months of data compiled. This will most likely occur during the February 2004 meeting.

The School 21 group has decided to meet in smaller groups over the next two (2) months to try and finalize the risk characterization protocol. There have been some conference calls scheduled to begin making a decision on the acceptable level of risk to use for the calculations. The group is moving forward with implementation of the grant and beginning analysis of the data. Hopefully, by early spring, analysis will begin relative to the risk.

Mr. Dick Van Frank, Improving Kid's Environment, stated up until this month he felt the group was making progress. However, he no longer sees progress being made. He stated

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this is not a criticism on City Staff, this is a criticism of IDEM. The data presentation given by OES was very good. Once the Board sees it they will be impressed with the method OES developed in presenting data in a clear manner. Yet, the periodic emissions continue in the area. Mr. Van Frank is concerned they may have gotten worse. An example date is September 26, 2003. At one point the emissions were mainly seen late evening approximately around midnight. They are now appearing during the day.

Mr. Van Frank continued to say the decision regarding acceptable risk as been going on for several months. Discussions have not been occurring. He feels the smaller group meeting scheduled will not resolve the acceptable risk issue. There was supposed to be an environmental audit of Citizens Gas. The contract is still at IDEM, where it has been now for months. IDEM claims that they can not disclose the contract to anyone until the contract is processed. This concerns Mr. Van Frank, because he would like to see what they are inspecting. There was supposed to be a "Tools for Schools" inspection of the school which was based on an EPA program. Supposedly, the inspection occurred but is really was not an official inspection because there were issues on getting the school to eventually to comply. He has been requesting a report on the "Tools for Schools" inspection for months. The only thing that he has received is a one (1) page document with seven (7) items on it.

Mr. Van Frank is also concerned that there has not been any criteria set to identify the actual source of the benzene which he feels there has been some reluctance to do. He stated that if you look at data the benzene emissions are high when the wind is blowing from the south towards the monitor. He said at some point some decisions have to be made about identifying the source (s) of benzene. There have been inventories of surrounding sources and there does not seem to be any major sources of benzene.

Mr. Van Frank stated this has been ongoing for a while and the goal of the project was not to see how much data could be collected. The goal was to find out where the benzene and other hazardous emissions in the area are coming from and to do something about lessening the risk.

Mr. Chavez clarified that the School 21 Project funded by the grant has only been going on for a little over a year. However, the monitoring has been going on for three (3) years.

The Board asked if the data includes hourly values of wind direction and benzene. Mr. Chavez stated yes, and there are thirty (30) other parameters being monitored in addition to the benzene. The Board then inquired if the monitor is located at School 21. Mr. Chavez stated, yes in the exact location of the previous monitor. Mr. Martin stated that IDEM did some hot spot modeling before determining a location for this monitor.

The Board inquired if Staff have communicated Mr. Van Frank's concerns with IDEM. Mr. Chavez stated he has had several conversations with the staff at IDEM on this regard and relative to the contract information that Mr. Van Frank has talked about is out of City hands. IDEM had conveyed the same information to him as they have to Mr. Van Frank. Mr. Chavez stated he still has not seen the contract for the audit.

Mr. Chavez stated relative to the decisions on the "Tools for Schools" discussion, a lot of this came up based on the EPA's take on what happened. It was discussed at the November meeting that it is EPA's policy that a formal request for the "Tools for Schools" report needs to come from the Indianapolis Public Schools (IPS). The report will not be released to a third party. Mr. Chavez said he was going to contact Richard Myers with IPS prior to the December meeting asking him to request the report from EPA. Mr. Chavez was also surprised that it was not a formal "Tools for Schools" walk through which is what he requested in October 2002. EPA is going to come back with a game plan on how to take care of the "Tools for Schools" piece.

Mr. Chavez stated IDEM did present a draft risk characterization protocol to the stakeholder group in August 2003. The stakeholders did provide substantial comments to the draft. There were many concerns with it. A final draft has not yet been provided to the group. There is a tough decision to be made on what is the acceptable level of risk.



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This is a significant policy decision that needs to be made. Mr. Chavez feels this is the one policy decision that is holding up the finalization of the risk characterization. Mr. Chavez has committed sending to EPA some suggestions based on research OES Staff can do on defining what has been viewed as an acceptable level of risk. When the risk is calculated with the benzene concentrations, the determination will be a unitless probability. As part of the agreement staff is going to ask that if the risk is unacceptable then some additional controls and operational practice changes be done or maybe things at the school be done differently.

Mr. Chavez feels the message was made clear at the December 2, 2003 to IDEM that a decision needs to be made on the risk characterization protocol. Mr. Chavez stated he appreciates Mr. Van Frank's comment about the City. The City is carrying a huge workload for the School 21 project and some of the decisions are out of the City's control because it is an IDEM grant and the City is simply a stakeholder. He has a good relationship with IDEM and they do respond. It is hopeful that a decision will be made regarding the risk characterization in early January 2004.

The Board stated the risk characterization is an important piece of the School 21 project. Gathering the data gives us the tools to do this, but absent the risk characterization trying to interpret it is difficult. The Board stated it would be helpful if once the risk characterization is decided that Staff help the Board understand the roles of the different agencies have in making some of these decisions such as, what kind of risk benchmarks there are, are there federal statutes that define these benchmarks and what is the role of IDEM, the City, and the APCB. Mr. Chavez stated that OES staff began research to determine what calculations and policy decisions have been taken into considering relative to acceptable levels of risks for benzene in the development of the benzene National Emission Standards for Hazardous Air Pollutants (NESHAP). Also, what is in IDEM guidance relative to acceptable levels of risk in air, water and land.

Mr. Van Frank feels part of the problem is that any number can be found on determining acceptable levels of risk. A conclusion will have to be drawn if the risk can be reduced as much as economically and technically possible and feasible. The Board asked if there is an economic impact. Mr. Chavez stated a formal analysis of the economic impact has not been done, but it will be a part of the completion of this project. The Board stated the tools are now available to do a risk assessment and put a risk number on it, and the discussion now is how to compare that against some standard or benchmark. In order to respond to Mr. Van Franks concerns, if it is not understood from where the benzene is coming, it is difficult to begin dealing with the economic consequences. Mr. Chavez stated he agrees. However, the benzene data indicates that not only are there spikes in the benzene concentrations when the wind direction is coming from the due South but there is also elevation in the benzene concentrations when the wind is coming from the West and Southwest. Identification of all potential benzene sources needs to be determined prior to making a determination that Citizens Gas & Coke Utility is the only cause of elevated benzene concentrations in the area.

**(Central Indiana Air Quality Advisory Group Update)**

Mr. Chavez updated the Board on the Central Indiana Air Quality Advisory Group. The meeting took place on November 14, 2003 at 1:00 p.m. at the Indiana Government Center North in room 1319. There was an announcement that the Center for Urban Policy has been identified as the facilitator for the group. At this meeting IDEM provided some overviews of the inventory development that has been completed this far. They presented some preliminary modeling results. IDEM identified some of the emission control strategies the group will need to begin discussing. There is not enough information available to determine what are the limiting reagents for VOC emissions and NOx emissions.

Side discussions have begun between various stakeholders to discuss partnerships along with off the record discussions as far as coming up with solutions. Mr. Chavez has a meeting scheduled with stakeholders to discuss sponsorships and partnerships. Mr. Gil Holmes, with IndyGo Bus Transportation system, provided an overview of the measures that IndyGo is currently undertaking to address the air quality issues. They have a series of

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hybrid and electric buses that they have purchased as well as looking at their routes to address the ozone and PM<sub>2.5</sub> discussions.

Mr. Achgill stated the group has agreed to continue to meet as a full group to begin looking at the potential actions that will have to be put in place in the near future as the non-attainment designations are made. He also stated Mr. Paul has been participating as a full member in the Central Indiana Air Quality Advisory Group and hopes he continues to participate. Mr. Paul stated he does plan to continue participating on behalf of Eli Lilly.

Mr. Martin stated a discussion and a distribution of the final reports from previous groups that have discussed the ozone issue in the past were distributed at the November 14, 2003 meeting. Everyone was encouraged to read through these reports.

Mr. Chavez stated a transportation commission has been started to begin discussions on the transportation issues of air quality. He stated he has seen some preliminary analysis. There has been identification of some of the key areas that will be prime for a light rail system and expanded bus routes.

**RE: UNFINISHED BUSINESS**

**(Resolution for Councillor Beulah Coughenour)**

Dr. Daly read an Indianapolis Air Pollution Control Board Resolution for Councillor Beulah Coughenour recognizing her for her dedication to the City of Indianapolis and its citizens for twenty-eight (28) years. He asked the Board members to sign it. He personally thanked Councillor Coughenour for her support of the Air Division over his years of tenure on the IAPCB.

**(Update on Ozone Designations)**

Mr. Martin distributed maps of Indiana's July 15, 2003 recommendations of designations for non-attainment of the 8-hour Ozone Standard and of EPA's recommended Indiana 8-hour ozone non-attainment counties. He also distributed a summary of the 8-hour ozone values by monitor sites and a letter addressed to Governor Kernan from Thomas Skinner of the U.S.E.P.A. with EPA's comments to the State of Indiana concerning the non-attainment areas. Most of this information came from IDEM's website. IDEM has very good information on their website on ozone and PM<sub>2.5</sub>.

**(Update on Marion County Fire Chiefs Meeting - Open Burning)**

Mr. Brown stated at the last Board meeting there was discussion on open burning and Mr. Van Frank raised a concern about the Township Fire Departments not responding to open burning calls in the same manner as the Indianapolis Fire Departments. Mr. Brown attended a Marion County Fire Chief's meeting and asked how they responded to open burning calls. He stated it is policy of all the fire departments that if a call comes into 911 for open burning of leaves or smoke in the area, a fire apparatus is dispatched to extinguish it. If there is a problem at a particular location, the source is referred to code enforcement to provide assistance. Mr. Brown stated an open burning call is treated very seriously by all fire departments because if the burning is taking place on a windy day the fire can spread rapidly and possibly get into structures.

**RE: NEW BUSINESS**

**(Resolution for Bernie Paul)**

Dr. Daly requested that OES staff draft a Resolution for Mr. Bernie Paul for his eleven years of service to the Indianapolis Air Pollution Control Board. Mr. Wallace made a motion that a Resolution be drafted. Mr. Fraley seconded the motion and said motion carried. Staff will draft the resolution to be presented at the January 8, 2004 APCB

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meeting.

Mr. Paul stated he has enjoyed being on the Board and he feels this is a great Board. He has enjoyed working with everyone both past and present. The Board does a great job in ensuring the community is protected and OES staff is top notch on air quality issues.

**RE: ADJOURNMENT**

Mr. Wallace made a motion the meeting be adjourned. Mr. Brown seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on January 8, 2004, at 9:30 A.M. in Room 107 of the City-County Building.

AIR POLLUTION CONTROL BOARD

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Dr. Robert Daly, Chairman

ATTEST:

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John Chavez, Technical Secretary  
Indianapolis Air Pollution Control Board

Date: \_\_\_\_\_